

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

CHARLES GRAHAM, Derivatively on Behalf
of Nominal Defendant LEAP WIRELESS
INTERNATIONAL, INC.,

Plaintiff,

v.

S. DOUGLAS HUTCHESON, AMIN
KHALIFA, GRANT BURTON, DEAN M.
LUVISA, MICHAEL B. TARGOFF, JOHN D.
HARKEY, JR., ROBERT V. LAPENTA,
MARK H. RACHESKY, M.D., and JAMES
D. DONDERO,

Defendants,

and

LEAP WIRELESS INTERNATIONAL, INC.,

Nominal Defendant.

CASE NO. 08-CV-0246 BTM

(Derivative Action)

**ORDER GRANTING PARTIES' JOINT
MOTION TO MODIFY BRIEFING
SCHEDULE AND HEARING DATE OF
DEFENDANTS' MOTION TO DISMISS**

Judge: The Hon. Barry Ted Moskowitz
Courtroom: 15

1 IT IS HEREBY ORDERED that the Parties' Joint Motion to Modify Briefing Schedule
2 and Hearing Date of Defendants' Motions to Dismiss is GRANTED. The revised briefing
3 schedule and hearing date on the following two motions is as set forth below: (a) Nominal
4 Defendant Leap Wireless International, Inc.'s Motion to Dismiss Derivative Complaint, filed
5 May 30, 2008; and (b) Individual Defendants' Motion to Dismiss Plaintiff's Verified
6 Shareholder Derivative Complaint, filed June 2, 2008 (collectively referred to as "Defendants'
7 Motions to Dismiss"):


8 August 11, 2008 – Plaintiff's Oppositions Due to Defendants' Motions to
9 Dismiss (superseding prior date of August 1, 2008)

10 August 29, 2008 – Defendants' Reply Briefs Due in support of Defendants'
11 Motions to Dismiss (superseding prior date of August 8,
12 2008)

13 September 4, 2008 at 11:00 a.m.- Hearing on Defendants' Motions to Dismiss,
14 without oral argument and without personal appearance (superseding prior date of
15 August 15, 2008).

16 IT IS SO ORDERED.

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18 DATED: July 23, 2008

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HON. BARRY TED MOSKOWITZ
20 UNITED STATES DISTRICT COURT JUDGE
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